

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JALISSA HALEY FERN SPOTTED
BIRD,

Defendant.

CR-20-28-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 1, 2023. (Doc. 64.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 27, 2023. (Doc. 60.) The United States accused Jalissa Spotted Bird (Spotted Bird) of violating her

conditions of supervised release by failing to complete her 60-day term at Connections Corrections. (Doc. 57.)

At the revocation hearing, Spotted Bird admitted to violating the conditions of her supervised release by failing to complete her 60-day term at Connections Corrections. (Doc. 60.) Judge Johnston found that the violation that Spotted Bird admitted proved to be serious and warranted revocation, and recommended that Spotted Bird receive a custodial sentence of 3 months 20 months supervised release to follow with the first 60 days of her supervised release at a secure inpatient drug treatment facility such as Passages in Billings, Montana. (Doc. 64.) Spotted Bird was advised of her right to appeal and her right to allocute before the undersigned. She waived those rights. (Doc. 60.) The violations prove serious and warrants revocation of Standingrock's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 64) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Jalissa Haley fern Spotted Bird be sentenced to the custody of the United States Bureau of Prisons for 3 months and 20 months supervised release to follow. Spotted Bird should serve the first 60 days of her supervised release at a secure inpatient drug treatment facility such as Passages in Billings, Montana.

DATED this 16th day of March, 2023.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris, Chief District Judge
United States District Court

